

---

SENATE BILL 6209

---

State of Washington

52nd Legislature

1992 Regular Session

By Senators Bluechel, Skratek, Erwin, Bailey, McDonald and Thorsness

Read first time 01/21/92. Referred to Committee on Transportation.

1 AN ACT Relating to public transportation; amending RCW 35.58.140,  
2 35.58.050, and 36.57A.050; adding new sections to chapter 35.58 RCW;  
3 adding a new chapter to Title 81 RCW; creating new sections; repealing  
4 RCW 35.58.120, 35.58.150, 35.58.280, 35.58.290, 35.58.300, 35.58.310,  
5 36.56.010, 36.56.020, 36.56.030, 36.56.040, 36.56.050, 36.56.060,  
6 36.56.070, 36.56.080, 36.56.090, 36.56.100, 36.56.110, 36.56.900, and  
7 36.56.910; providing effective dates; and declaring an emergency.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

9 PART I

10 METROPOLITAN MUNICIPAL CORPORATIONS

11 PERFORMING THE FUNCTION OF METROPOLITAN

12 PUBLIC TRANSPORTATION

13 NEW SECTION. **Sec. 1.** LEGISLATIVE INTENT. The legislature intends  
14 to provide a more effective means for the people of the populous

1 metropolitan areas in the state to secure and enjoy the benefits of  
2 public transportation systems. These systems provide coordinated  
3 services and mobility across county and other jurisdictional boundaries  
4 in order that the proper growth and development of the metropolitan  
5 areas of the state may be assured and that the health and welfare of  
6 the people residing therein may be promoted.

7 To that end, the legislature finds that the governing structures of  
8 municipal corporations currently authorized to provide public  
9 transportation services within urbanized metropolitan areas should be  
10 restructured and a new authority created to provide more effective  
11 representation to the citizens of the metropolitan areas and to  
12 facilitate the development and coordination of regional public  
13 transportation services. Other essential public services are also  
14 appropriate for development on a coordinated basis within urbanized  
15 metropolitan areas.

16 Therefore the legislature declares that it is the public policy of  
17 the state of Washington to provide a means for public transportation  
18 agencies and cities, towns, and counties served by these agencies to  
19 cooperate within a regional transportation authority to ensure the most  
20 efficient development and integration of high capacity transportation  
21 systems and local public transportation services in ways that  
22 compliment comprehensive land use planning and the planning,  
23 development, and construction of highways, streets, and public  
24 transportation facilities. It is the further public policy of the  
25 state of Washington to provide and enhance the options available to  
26 citizens and local governments for the development of public services  
27 on a regional basis.

28 NEW SECTION. **Sec. 2.** COUNCIL. Metropolitan municipal  
29 corporations that are authorized as of July 1, 1992, to provide

1 metropolitan public transportation are governed by a metropolitan  
2 council consisting of the following members:

3 (1) Three members appointed from the elected officers of the  
4 central county by the elected county executive or, if there is no  
5 elected county executive, by the chairperson of the board of  
6 commissioners or council of the central county which is subject to  
7 confirmation by a majority of the board of commissioners or council.

8 (2) Three members appointed from the elected officers of the  
9 central city by the elected mayor or, if there is no elected mayor,  
10 then by the chairperson of the city council of the central city,  
11 subject to confirmation by a majority of the council.

12 (3) Three members appointed from the component cities, other than  
13 the central city, to be selected by and from the mayors and  
14 councilmembers of those cities. The appointment process must consider  
15 the number of citizens residing within each city to facilitate, as much  
16 as practicable, proportionate representation. The mayors and  
17 councilmembers of all of the appointing cities shall meet within thirty  
18 days after July 1, 1992, to appoint the initial members representing  
19 component cities, and thereafter shall meet prior to July 1 of each  
20 even-numbered year at a date, time, and place to be fixed by resolution  
21 of the metropolitan council. The chairperson of the metropolitan  
22 council shall preside. After nominations are made, successive ballots  
23 shall be taken until three candidates each receive a majority of all  
24 votes cast.

25 (4) Three members who shall be nominated and elected at large to  
26 nonpartisan positions by and from voters residing in the unincorporated  
27 area of the central county as provided in section 3 of this act.  
28 Elections shall be held in conformance with the provisions of Title 29  
29 RCW.

1 (5) For a metropolitan municipal corporation that is authorized to  
2 perform the function of metropolitan water pollution abatement, one  
3 additional member who is a commissioner of a sewer district or a water  
4 district that is operating a sewer system and is a component part of  
5 the metropolitan municipal corporation and who shall participate only  
6 in those council actions that relate to the performance of the function  
7 of metropolitan water pollution abatement. The commissioners of all  
8 sewer districts and water districts that are component parts of the  
9 metropolitan municipal corporation shall meet on the second Tuesday of  
10 June of each even-numbered year at seven o'clock p.m. at the office of  
11 the board of county commissioners or county council of the central  
12 county. After election of a chairperson, the commissioners shall make  
13 nominations to select a member to serve on the metropolitan council and  
14 take successive ballots for each candidate until one receives a  
15 majority of votes cast.

16 (6) One member appointed by the governor to represent the  
17 department of transportation who shall participate only in those  
18 council actions that relate to the performance of the function of  
19 metropolitan public transportation.

20 (7) One member, who shall be chairperson of the metropolitan  
21 council, selected by the other members of the council. The member may  
22 not hold a public office of or be an employee of a component city or  
23 component county of the metropolitan municipal corporation. The  
24 chairperson shall hold office until the second Tuesday in July of each  
25 even-numbered year and may, if reelected, serve more than one term.

26 NEW SECTION. **Sec. 3.** DIRECT ELECTION OF CERTAIN MEMBERS. (1) The  
27 three directly elected members shall be nominated and elected by and  
28 from voters residing in the unincorporated areas of the central county  
29 to four-year terms. The length of these terms is calculated from the

1 first day of January in the year following the election. The initial  
2 directly elected councilmembers shall take office immediately after  
3 they are qualified as defined in RCW 29.01.135. Thereafter, each  
4 directly elected member of a metropolitan council is elected to a four-  
5 year term of office until a successor is elected, qualified, and  
6 assumes office in accordance with RCW 29.04.170.

7 (2) The initial directly elected members must be elected at the  
8 next general election occurring at least ninety days after July 1,  
9 1992. Six candidates from the unincorporated area must be nominated at  
10 the regular primary election and the directly elected members must be  
11 elected at the general election.

12 (3) From July 1, 1992, until the taking of office by the qualified  
13 directly elected members, three members who reside in the  
14 unincorporated area of the central county appointed by the county  
15 executive or chairperson of the board of commissioners or council as  
16 the case may be, shall fill the positions subject to confirmation by a  
17 majority of the board or council.

18 NEW SECTION. **Sec. 4.** VACANCIES. A vacancy in the office of a  
19 member of the metropolitan council must be filled in the same manner as  
20 provided for the original appointed member. In the event of a vacancy  
21 of one of the members elected under the provisions of section 2(4) of  
22 this act, the remaining members elected under that provision shall  
23 appoint a person to fill the vacancy for the unexpired term.

24 **Sec. 5.** RCW 35.58.140 and 1971 ex.s. c 303 s 6 are each amended to  
25 read as follows:

26 Each member of a metropolitan council (~~(except those selected)~~)  
27 appointed under ((the provisions of RCW 35.58.120(1)(a), (5), (7), and  
28 (8)) section 2 (1), (2), (3), (5), and (6) of this act, shall hold

1 office at the pleasure of the body (~~((which selected him))~~) that  
2 appointed the member. Each member, (~~((who))~~) except members elected  
3 under section 2(4) of this act, shall hold office ex officio(~~((7))~~) and  
4 may not hold office after (~~((he))~~) the member ceases to hold the position  
5 of elected county executive, mayor, commissioner, or councilman. The  
6 chairman shall hold office until the second Tuesday in July of each  
7 even-numbered year and may, if reelected, serve more than one term.  
8 Each member shall hold office until (~~((his))~~) the member's successor has  
9 been (~~((selected))~~) appointed as provided in this chapter.

10 **Sec. 6.** RCW 35.58.050 and 1974 ex.s. c 70 s 3 are each amended to  
11 read as follows:

12 A metropolitan municipal corporation shall have the power to  
13 perform any one or more of the following functions, when authorized in  
14 the manner provided in this chapter:

- 15 (1) Metropolitan water pollution abatement.
- 16 (2) Metropolitan water supply.
- 17 (3) Metropolitan public transportation.
- 18 (~~((4) Metropolitan garbage disposal.~~
- 19 ~~((5) Metropolitan parks and parkways.~~
- 20 ~~((6) Metropolitan comprehensive planning.))~~

21 PART II  
22 REGIONAL SERVICES AUTHORITIES

23 NEW SECTION. **Sec. 7.** DEFINITIONS. The definitions in RCW  
24 81.104.010 apply to this chapter unless the context clearly requires  
25 otherwise.

1        NEW SECTION.    **Sec. 8.**    REGIONAL SERVICES AUTHORITY FOR TRANSIT.

2    (1) A metropolitan municipal corporation created after July 1, 1992,  
3    within a class AA county that is authorized to provide the function of  
4    metropolitan public transportation and contiguous public transportation  
5    benefit areas formed under chapter 36.57A RCW in adjacent counties  
6    shall appoint members to comprise a regional transit authority governed  
7    by a board as provided in section 9 of this act, within ninety days  
8    after July 1, 1992. The regional transit authority has the powers and  
9    responsibilities described in section 10 of this act and as otherwise  
10   provided by this chapter.

11        (2) The boundaries of the regional transit authority include all of  
12   the areas within the boundaries of its component metropolitan municipal  
13   corporation, public transportation benefit areas, city-owned transit  
14   systems, and county transportation authorities.

15        (3) After a regional transit authority is formed, additional  
16   contiguous metropolitan municipal corporations, public transportation  
17   benefit areas, city-owned transit systems, and county transportation  
18   authorities that provide public transportation may be annexed by  
19   ordinance or resolution of the legislative body governing the  
20   respective transit agencies concurred in by resolution of the regional  
21   transit authority.

22        (4) Elections to add areas contiguous to the area within the  
23   boundaries of the regional transit authority may be called by  
24   resolution of the regional transit authority, after consultation with  
25   affected transit agencies and with the concurrence of the legislative  
26   authority of an affected city or town if the area is incorporated, or  
27   with the concurrence of the county legislative authority if the area is  
28   unincorporated. Only those areas that would benefit from the services  
29   provided by the authority may be included and services or projects  
30   proposed for the area must be consistent with the authority's approved

1 plans. The election may include a single ballot proposition providing  
2 for annexation to the regional transit authority and imposition of  
3 taxes already imposed in the existing authority.

4 NEW SECTION. **Sec. 9.** GOVERNING BOARD. The governing board of a  
5 regional transit authority consists of the following members:

6 (1) Three members appointed by and from each board of a public  
7 transportation benefit area included within the boundaries of the  
8 regional transit authority.

9 (2) One member appointed by the mayor from the elected officers of  
10 the city of a city-owned transit system included within the boundaries  
11 of the regional transit authority, subject to confirmation by a  
12 majority of the city council.

13 (3) One member appointed by the chairman of a county transportation  
14 authority from the officials constituting the county transportation  
15 authority of a county transportation authority included within the  
16 boundaries of the regional transit authority.

17 (4) Two members appointed by the governor to separately represent  
18 the department of transportation and the transportation commission.

19 (5) The metropolitan council of the metropolitan municipal  
20 corporation, except members that represent sewer districts or water  
21 districts operating sewer systems and the chair of the metropolitan  
22 council.

23 (6) One member, who shall be chairperson of the regional transit  
24 authority, to be appointed by the governor. The member may not hold  
25 public office or be an employee of a component municipal corporation of  
26 the authority. The chairperson shall hold office until the second  
27 Tuesday in July of each even-numbered year and may, if appointed, serve  
28 more than one term.



1        NEW SECTION.    **Sec. 10.**    PURPOSES AND POWERS.    (1) The purpose of

2 the regional transit authority is to implement a high capacity transit  
3 system for the urbanized areas within the jurisdictional boundaries of  
4 the authority as contemplated by chapter 81.104 RCW.

5        (2) The regional transit authority, for the purposes of planning,  
6 developing, and implementing a high capacity transportation system, has  
7 the authority to:

8        (a) Contract with the United States or its agencies, a state or its  
9 agencies, other municipal corporations, a county, city, special  
10 district, or governmental agency, and a private person, firm, or  
11 corporation, whether within or without the state, for the purpose of  
12 securing loans or advances, or for the study, planning, design,  
13 construction, or operation of high capacity transportation system  
14 facilities;

15        (b) Contract with a governmental agency or private person, firm, or  
16 corporation for the use by either contracting party of all or part of  
17 the facilities, structures, lands, interest in lands, air rights over  
18 lands, rights of way, or property interests of all kinds that are  
19 owned, leased, or held by either party and for the purposes of study,  
20 planning, financing, constructing, or operating a facility or  
21 performing a service that the regional transit authority may be  
22 authorized to provide, operate, or perform, on such terms as may be  
23 agreed to by the contracting parties;

24        (c) Contract for the procurement of goods and services, equipment,  
25 supplies, and construction on a competitive basis pursuant to such  
26 notice, bidder qualifications, bid conditions, and evaluation  
27 procedures as the regional transit authority determines to be in the  
28 best public interest;

29        (d) Sue and be sued in its corporate capacity in all courts and in  
30 all proceedings;

1 (e) Prepare, adopt, and carry out regional high capacity  
2 transportation plans and programs and perform or provide other studies  
3 and plans as may be necessary to implement a regional high capacity  
4 transportation system that is integrated with local public  
5 transportation systems;

6 (f) Acquire by purchase, gift, grant, lease, and to lease,  
7 construct, add to, improve, replace, repair, maintain, operate, and  
8 regulate the use of high capacity transportation facilities and  
9 properties within or without the jurisdictional area of the authority,  
10 including systems of surface, underground, or overhead railways,  
11 tramways, buses, or other means of regional transportation except  
12 taxies, and including stations, passenger terminals, and parking  
13 facilities and properties, transportation centers, and other people-  
14 moving systems, facilities, and properties as may be necessary for  
15 passenger and vehicular access to and from such facilities, properties,  
16 and systems, together with all lands, rights of way, properties,  
17 equipment, and accessories for such facilities, properties, and  
18 systems. Public transportation facilities and properties that are  
19 owned by a city, county transportation authority, public transportation  
20 benefit area, or metropolitan municipal corporation may be acquired or  
21 used by the regional transit authority only with the consent of the  
22 municipal corporation that owns the facilities. Cities, county  
23 transportation authorities, public transportation benefit areas, and  
24 metropolitan municipal corporations performing public transportation  
25 services or functions may convey or lease the facilities to regional  
26 transit authorities on such terms as may be fixed by agreement between  
27 the regional transit authorities and the municipal corporations owning  
28 the facilities without submitting the matter to the voters of the  
29 municipal corporations;

1 (g) Plan, develop, and construct facilities necessary for a high  
2 capacity transportation system and acquire and condemn property  
3 therefor according to such design, review, public hearing, and review  
4 processes as may be adopted by the board of the authority;

5 (h) Acquire by condemnation lands, property rights, facilities, or  
6 equipment, whether within or without the jurisdictional area of the  
7 authority, that are necessary for the authority's purposes. The right  
8 of eminent domain must be exercised by the regional transit authority  
9 in the same manner and by the same procedure as required by law for  
10 cities of the first class, except when inconsistent with provisions of  
11 this chapter;

12 (i) Construct or maintain high capacity transportation facilities  
13 in, along, on, under, over, or through public streets, bridges,  
14 viaducts, and other public rights of way without first obtaining a  
15 franchise or street use permit from the county or city with  
16 jurisdiction over those rights of way. The facilities must be  
17 constructed and maintained in accordance with a city or county's  
18 building, fire, and safety codes for the construction, installation,  
19 and maintenance of similar facilities on public properties;

20 (j) Dispose of real or personal property, facilities, or equipment  
21 acquired or developed in connection with an authorized function of the  
22 authority that is no longer required for the purposes of the authority  
23 according to such procedures adopted by the board of the regional  
24 transportation authority and in state law;

25 (k) Adopt by resolution rules as are necessary or proper to provide  
26 high capacity transit services and provide both civil and criminal  
27 penalties for violation thereof. Actions to impose or enforce such  
28 penalties may be brought in a superior court of the state of Washington  
29 within the jurisdiction of the authority;

1 (l) Contract indebtedness and issue general obligation bonds and  
2 revenue bonds for its authorized purposes in accordance with RCW  
3 35.58.450, 35.58.460, and 35.58.470 and as directed or approved by the  
4 governing board of the authority;

5 (m) Fix rates, tolls, fares, and charges for the use of high  
6 capacity transportation facilities and properties and expend the money  
7 collected for authorized high capacity transportation services and to  
8 establish various routes and classes of service. Fares or charges may  
9 be adjusted or eliminated for a distinguishable class of users  
10 including, but not limited to, senior citizens, persons of disability,  
11 and students;

12 (n) Participate fully in a federal or state program and to take  
13 actions necessary to receive grants, loans, or technical support under  
14 these programs;

15 (o) Establish local improvement districts under RCW 35.58.500;

16 (p) Borrow money, to make loans and advances, to issue warrants,  
17 and to invest its funds in accordance with RCW 35.58.480, 35.58.490,  
18 35.58.510, and 35.58.520 and as directed or approved by the governing  
19 board of the authority;

20 (q) Receive gifts, grants, and endowments from public or private  
21 sources that may be made from time to time, in trust or otherwise, for  
22 the use and benefit of the purposes of the regional transit authority  
23 and spend gifts, grants, or endowments or any income from the public or  
24 private sources according to their terms; and

25 (r) Have and exercise all powers that are necessary to carry out  
26 the purposes of the regional transportation authority to develop and  
27 implement a high capacity transportation system.

28 NEW SECTION. **Sec. 11.** COOPERATION WITH LOCAL TRANSIT OPERATORS.

29 (1) A regional transit authority, after consultation with local public

1 transit agencies within the area of its jurisdiction, may define and  
2 distinguish high capacity transit system routes and services from those  
3 routes and services provided by local transit agencies including those  
4 of city-owned transit systems, county transportation authorities,  
5 public transportation benefit areas, and metropolitan municipal  
6 corporations. Following the definition by formal resolution of the  
7 board of the authority, the authority has the exclusive right to  
8 provide the high capacity transportation routes and services unless  
9 local transit agencies are authorized by the authority to provide the  
10 routes and services on terms mutually agreed between the authority and  
11 the local transit agency. Existing local transit agencies that become  
12 component agencies of the authority may continue to operate other  
13 routes, services, and facilities, to fix rates, tolls, fares, and  
14 charges for the use of such facilities, to determine schedules  
15 therefor, and to utilize their existing tax and other financial  
16 resources to provide these services.

17 (2) The authority may develop and operate local transit agency  
18 routes, services, and facilities or collect existing local transit  
19 taxes within a component local transit agency only with the consent of  
20 the legislative body of that agency.

21 NEW SECTION. **Sec. 12.** PLANNING CONSISTENCY. A regional transit  
22 authority shall ensure that planning for its high capacity transit  
23 system facilities is consistent with the planning requirements  
24 applicable to the authority in RCW 81.104.080 and 81.104.100, and in  
25 chapter 17, Laws of 1990 1st ex. sess.

26 NEW SECTION. **Sec. 13.** ORGANIZATION, NAME, AND VOTING. (1) Each  
27 member of the governing board shall be a voting member subject to  
28 limitations established by this chapter. Members may not vote by

1 proxy. The board shall determine its own rules, order of business, and  
2 fiscal year, and shall provide by resolution for the manner and time of  
3 holding all regular and special meetings and for establishing a public  
4 record of its proceedings. A majority of all members of the board  
5 shall constitute a quorum for the transaction of business. A smaller  
6 number of members than a quorum may adjourn from time to time and may  
7 act on behalf of the board in any emergency as authorized by the  
8 board's rules of procedure. The name of the authority and corporate  
9 seal shall be as adopted by the governing board.

10 (2) The board shall approve actions by majority vote of the members  
11 in attendance. However, an affirmative vote of at least sixty percent  
12 of all board members is required for approvals of annual budgets and  
13 regional plans.

14 NEW SECTION. **Sec. 14.** CONSOLIDATION. (1) After a regional  
15 transit authority is formed under this chapter, a component  
16 metropolitan municipal corporation may be consolidated with the  
17 regional transportation authority if the metropolitan council adopts a  
18 resolution requesting consolidation and the authority's governing board  
19 adopts a resolution assuming the rights, powers, functions, and  
20 obligations of the metropolitan municipal corporation after public  
21 notice and hearings deemed appropriate by the authority's governing  
22 board. Upon the adoption of the resolutions, the regional transit  
23 authority shall establish an effective date to assume such rights,  
24 powers, functions, and obligations currently possessed by the  
25 metropolitan municipal corporation pursuant to chapter 35.58 RCW,  
26 including RCW 35.58.273 relating to levy and use of motor vehicle  
27 excise tax, and the power and authority to levy a sales and use tax  
28 pursuant to chapter 82.14 RCW, or other provision of state law.

1           (2) As of the effective date of any consolidation under this  
2 section, the authority shall become the regional services authority for  
3 transit and for those functions previously authorized by law to be  
4 performed by the consolidated metropolitan municipal corporation.  
5 Those members appointed to the governing board pursuant to section  
6 9(1), (2), (3), and (4) of this act shall participate only in those  
7 board actions that relate to the performance of public transportation  
8 or high capacity transit. The authority may also be authorized under  
9 RCW 35.58.100 through 35.58.116 to perform additional functions and to  
10 provide additional public services as described in chapter 35.58 RCW,  
11 limited as provided in RCW 35.58.050.

12           (3) Upon assumption of the rights, powers, functions, and  
13 obligations of the metropolitan municipal corporation by the authority,  
14 the metropolitan council established pursuant to the provisions of RCW  
15 35.58.120 through 35.58.160 is abolished and those provisions are  
16 inapplicable to the governing board of the authority, and the authority  
17 shall be vested with all rights, powers, duties, and obligations  
18 otherwise vested by law in the metropolitan council.

19           (4) Once the authority is vested with metropolitan council's  
20 rights, powers, duties, and obligations, all employees and personnel of  
21 the metropolitan municipal corporation who were under a personnel  
22 system pursuant to RCW 35.58.370 are incorporated within the  
23 authority's personnel system to perform their usual duties upon the  
24 same terms as formerly, without any loss of rights or benefits, but  
25 subject to any action after two years from the effective date of  
26 consolidation that may be appropriate in accordance with the laws and  
27 rules governing the authority's personnel system. All existing  
28 contracts and obligations of the transferred metropolitan municipal  
29 corporation, including existing collective bargaining agreements,  
30 remain in full force and effect and are performed by the authority. No

1 transfer authorized by this chapter effects the validity of an official  
2 act performed by an official or employee of the metropolitan municipal  
3 corporation prior to the transfer as authorized by this chapter.

4 (5) A transfer of any right, power, function, or obligation of the  
5 metropolitan municipal corporation pursuant to this chapter does not  
6 impair or alter any existing rights acquired under the provisions of  
7 chapter 35.58 RCW, or any other provision of law relating to  
8 metropolitan municipal corporations, nor an action, activity, or  
9 proceeding validated under chapter 35.58 RCW, or a civil or criminal  
10 proceeding instituted under chapter 35.58 RCW, or a rule or order  
11 adopted under chapter 35.58 RCW, or an administrative action taken  
12 under chapter 35.58 RCW. The assumption of control of a metropolitan  
13 municipal function by the authority, or a transfer of rights, powers,  
14 functions, and obligations as provided in this chapter, does not impair  
15 or alter the validity of an act performed by the metropolitan municipal  
16 corporation or division thereof or an officer thereof prior of the  
17 assumption of such rights, powers, functions, and obligations by the  
18 authority as authorized by this chapter.

19 NEW SECTION. **Sec. 15.** DEBTS AND OBLIGATIONS. (1) In the event of  
20 consolidation as provided in section 14 of this act, the authority  
21 shall assume and agree to provide for the payment of all of the  
22 indebtedness of the metropolitan municipal corporation including the  
23 payment and retirement of outstanding general obligation and revenue  
24 bonds issued by the metropolitan municipal corporation. Until the  
25 indebtedness of a metropolitan municipal corporation assumed by the  
26 authority has been discharged, all property within the boundaries of  
27 the former metropolitan municipal corporation and the owners and  
28 occupants of that property, shall continue to be liable for taxes,  
29 special assessments, and other charges legally pledged to pay the



1 indebtedness of the metropolitan municipal corporation. The authority  
2 shall assume the obligation of causing the payment of such  
3 indebtedness, collecting such taxes, assessments, and charges, and  
4 observing and performing the other contractual obligations of the  
5 metropolitan municipal corporation. The governing board of the  
6 authority shall act in the same manner as the metropolitan council of  
7 the metropolitan municipal corporation for the purpose of certifying  
8 the amount of property tax to be levied and collected, and may cause  
9 service and other charges and assessments to be collected from the  
10 property or owners or occupants thereof, enforce collection and perform  
11 all acts necessary to ensure performance of the contractual obligations  
12 of the metropolitan municipal corporation in the same manner and by the  
13 same means as if the property of the metropolitan municipal corporation  
14 had not been acquired by the authority.

15 (2) When an authority assumes the obligation of paying indebtedness  
16 of a metropolitan municipal corporation and if property taxes or  
17 assessments have been levied and service and other charges have accrued  
18 but have not been collected by the metropolitan municipal corporation  
19 prior to assumption, the taxes or assessments when collected belong and  
20 are paid to the authority and may be used by the authority so far as  
21 necessary for payment of the indebtedness of the metropolitan municipal  
22 corporation existing and unpaid on the date such authority assumed that  
23 indebtedness. Funds received by the authority that are collected for  
24 the purpose of paying bonded or other indebtedness of the metropolitan  
25 municipal corporation must be used to pay that indebtedness and for no  
26 other purpose until the indebtedness has been paid and retired or  
27 adequate provision has been made for payment and retirement. No  
28 transfer of property as provided in this chapter derogates from the  
29 claims or rights of the creditors of the metropolitan municipal

1 corporation or impairs the ability of the metropolitan municipal  
2 corporation to respond to its debts and obligations.

3 **Sec. 16.** RCW 36.57A.050 and 1983 c 65 s 3 are each amended to read  
4 as follows:

5 ~~((Within sixty days of the establishment of the boundaries of the~~  
6 ~~public transportation benefit area the members of the county~~  
7 ~~legislative authority and the elected representative of each city~~  
8 ~~within the area shall provide for the selection of the governing body~~  
9 ~~of such area, the public transportation benefit area authority, which~~  
10 ~~shall consist of elected officials selected by and serving at the~~  
11 ~~pleasure of the governing bodies of component cities within the area~~  
12 ~~and the county legislative authority of each county within the area.~~  
13 ~~If at the time a public transportation benefit area authority assumes~~  
14 ~~the public transportation functions previously provided under the~~  
15 ~~Interlocal Cooperation Act (chapter 39.34 RCW) there are citizen~~  
16 ~~positions on the governing board of the transit system, those positions~~  
17 ~~may be retained as positions on the governing board of the public~~  
18 ~~transportation benefit area authority.~~

19 ~~Within such sixty day period, any city may by resolution of its~~  
20 ~~legislative body withdraw from participation in the public~~  
21 ~~transportation benefit area. The county legislative authority and each~~  
22 ~~city remaining in the public transportation benefit area may disapprove~~  
23 ~~and prevent the establishment of any governing body of a public~~  
24 ~~transportation benefit area if the composition thereof does not meet~~  
25 ~~its approval.~~

26 ~~In no case shall the governing body of a single county public~~  
27 ~~transportation benefit area be greater than nine members and in the~~  
28 ~~case of a multicounty area, fifteen members. Those cities within the~~  
29 ~~transportation benefit area and excluded from direct membership on the~~

1 authority are hereby authorized to designate a member of the authority  
2 who shall be entitled to represent the interests of such city which is  
3 excluded from direct membership on the authority. The legislative body  
4 of such city shall notify the authority as to the determination of its  
5 authorized representative on the authority.

6 Each member of the authority is eligible to be reimbursed for  
7 travel expenses in accordance with RCW 43.03.050 and 43.03.060 and to  
8 receive compensation, as set by the authority, in an amount not to  
9 exceed forty four dollars for each day during which the member attends  
10 official meetings of the authority or performs prescribed duties  
11 approved by the chairman of the authority. In no event may a member be  
12 compensated in any year for more than seventy five days, except the  
13 chairman who may be paid compensation for not more than one hundred  
14 days: PROVIDED, That compensation shall not be paid to an elected  
15 official or employee of federal, state, or local government who is  
16 receiving regular full-time compensation from such government for  
17 attending meetings and performing prescribed duties of the authority.))

18 In the event a public transportation benefit area is included  
19 within a regional transit authority as provided in section 8 of this  
20 act, then one member representing the public transportation benefit  
21 area shall be directly elected to that position on a nonpartisan, at-  
22 large basis by voters within the authority at the next general election  
23 occurring at least ninety days after the effective date of this act.  
24 A current member of the board of the public transportation benefit area  
25 shall be considered nominated for the election unless they withdraw  
26 their name within sixty days prior to said election. The elected  
27 member shall serve a four-year term subject to the procedures for  
28 direct election provided in section 4 of this act. In the event of a  
29 vacancy in the position, the two remaining members appointed by the

1 public transportation benefit area board shall appoint a new member  
2 from the current governing board to serve the unexpired term.

3 NEW SECTION. **Sec. 17.** COMPENSATION. Members of the regional  
4 transit authority are eligible to be reimbursed for travel expenses in  
5 accordance with RCW 43.03.050 and 43.03.060, and to receive  
6 compensation, as set by the authority, in an amount not to exceed fifty  
7 dollars for each day the member attends meetings of the authority or  
8 performs prescribed duties approved by the chairperson of the  
9 authority. In no event may a member be compensated more than one  
10 hundred eighty days in a calendar year. The authority may defer  
11 compensation or establish different maximum limits for members who are  
12 elected officials or employees of federal, state, or local governments  
13 who receive regular full-time compensation from such governments for  
14 attending meetings and performing prescribed duties of the authority.

15 NEW SECTION. **Sec. 18.** HIGH CAPACITY TRANSPORTATION SYSTEM  
16 DEVELOPMENT AND FINANCING. (1) After a regional transit authority is  
17 formed under section 8 of this act, it shall assume the role of a  
18 permanent regional high capacity transportation authority as provided  
19 in chapter 81.104 RCW and have the exclusive responsibility for system  
20 implementation within the jurisdictional area of the authority.  
21 Notwithstanding any other provision of chapter 81.104 RCW, the  
22 authority shall have the exclusive right, within its jurisdictional  
23 area, to operate or contract for commuter rail service as provided in  
24 RCW 81.104.120 and to submit authorizing propositions to the voters,  
25 and if approved, to impose the taxes authorized by RCW 81.104.150,  
26 81.104.160, and 81.104.170, subject to the requirements or processes in  
27 RCW 81.104.100, 81.104.110, and 81.104.140.

1 (2) The authority shall be authorized to pledge revenues for bond  
2 retirement as provided in RCW 81.104.180 and to contract for collection  
3 of taxes as provided in RCW 81.104.190.

4 NEW SECTION. **Sec. 19.** LEGISLATIVE DIRECTIVE. (1) Sections 1  
5 through 5 of this act are each added to chapter 35.58 RCW.

6 (2) Sections 7 through 15, 17, and 18 of this act shall constitute  
7 a new chapter in Title 81 RCW.

8 NEW SECTION. **Sec. 20.** HEADINGS. Part and section headings as  
9 used in this act do not constitute any part of the law.

10 NEW SECTION. **Sec. 21.** SEVERABILITY. If any provision of this act  
11 or its application to any person or circumstance is held invalid, the  
12 remainder of the act or the application of the provision to other  
13 persons or circumstances is not affected.

14 NEW SECTION. **Sec. 22.** EFFECTIVE DATES. Sections 4 through 6 of  
15 this act are necessary for the immediate preservation of the public  
16 peace, health, or safety, or support of the state government and its  
17 existing public institutions, and shall take effect April 1, 1992. The  
18 remaining sections of this act shall take effect July 1, 1992.

19 NEW SECTION. **Sec. 23.** REPEAL. The following acts or parts of  
20 acts are each repealed:

21 (1) RCW 35.58.120 and 1983 c 92 s 1, 1981 c 190 s 3, 1974 ex.s. c  
22 70 s 5, 1971 ex.s. c 303 s 5, 1969 ex.s. c 135 s 1, 1967 c 105 s 3, &  
23 1965 c 7 s 35.58.120;

24 (2) RCW 35.58.150 and 1984 c 44 s 1, 1967 c 105 s 5, & 1965 c 7 s  
25 35.58.150;

- 1 (3) RCW 35.58.280 and 1965 c 7 s 35.58.280;
- 2 (4) RCW 35.58.290 and 1965 c 7 s 35.58.290;
- 3 (5) RCW 35.58.300 and 1965 c 7 s 35.58.300;
- 4 (6) RCW 35.58.310 and 1965 c 7 s 35.58.310;
- 5 (7) RCW 36.56.010 and 1991 c 363 s 72 & 1977 ex.s. c 277 s 1;
- 6 (8) RCW 36.56.020 and 1977 ex.s. c 277 s 2;
- 7 (9) RCW 36.56.030 and 1977 ex.s. c 277 s 3;
- 8 (10) RCW 36.56.040 and 1977 ex.s. c 277 s 4;
- 9 (11) RCW 36.56.050 and 1977 ex.s. c 277 s 5;
- 10 (12) RCW 36.56.060 and 1977 ex.s. c 277 s 6;
- 11 (13) RCW 36.56.070 and 1977 ex.s. c 277 s 7;
- 12 (14) RCW 36.56.080 and 1977 ex.s. c 277 s 8;
- 13 (15) RCW 36.56.090 and 1977 ex.s. c 277 s 9;
- 14 (16) RCW 36.56.100 and 1977 ex.s. c 277 s 10;
- 15 (17) RCW 36.56.110 and 1977 ex.s. c 277 s 11;
- 16 (18) RCW 36.56.900 and 1977 ex.s. c 277 s 14; and
- 17 (19) RCW 36.56.910 and 1977 ex.s. c 277 s 15.